

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 151/2022/EZ

In the matter of:
Subhas Datta ... Applicant
-Versus-
The State of West Bengal & Ors.
... Respondents

I N D E X

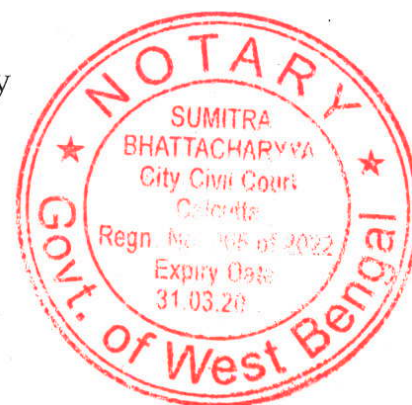
SL	PARTICULARS	ANNEXURE	PAGE
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2.	Copy of the document depicting that the Affidavit of Compliance and Action Taken Report dated February 03, 2026 was filed	A	7
3.	Copies of the solemn Order May 06, 2026 and Notice issued by the Registry	B(Coly)	8 - 10
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Filed by:

Soumya Mukherjee

SOUMYA MUKHERJEE
Advocate

For The DighaShankarpur Development Authority
Email: soumya.97.mukherjee@gmail.com
Mob: 9830511997



03 JUL 2026

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

M.A. No. 24/2026/EZ

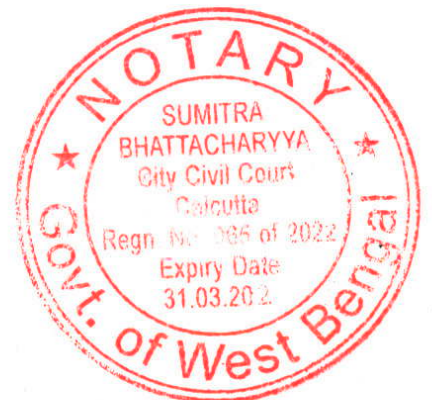
In
ORIGINAL APPLICATION NO. 151/2022/EZ

In the matter of:
Subhas Datta ... Applicant
-Versus-
The State of West Bengal & Ors.
... Respondents

AFFIDAVIT OF COMPLIANCE AND ACTION TAKEN REPORT ON
BEHALF OF THE RESPONDENT NUMBER 05, THE DIGHA
SHANKARPUR DEVELOPMENT AUTHORITY.

I, Subhash Chandra Samanta, son of Annada Prasad Samanta, aged about 49 years, by faith Hindu, by occupation—service, working for gain at Digha Shankarpur Development Authority, do hereby solemnly affirm and say as follows:-

1. That I am the Special Revenue Officer – II of the Digha Shankarpur Development Authority. I am well-acquainted with the facts and circumstances of the instant case. I have been duly authorized by the respondent no. 5 to affirm this Affidavit on its behalf and, as such, am competent to do so.

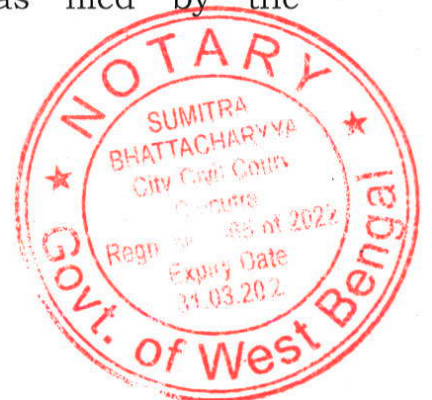


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2. I state that the earlier, an Affidavit of Compliance and Action Taken Report dated February 03, 2026 was filed by the respondent no. 5 in compliance of the solemn Judgment and Order dated January 21, 2025 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench in the instant case. It is pertinent to mention in this context that since the instant matter was disposed of vide the aforementioned Judgment and Order, the Affidavit of Compliance and Action Taken Report dated February 03, 2026 could not be filed in the online portal of the Hon'ble Tribunal and accordingly, the same was filed vide e-mail dated February 09, 2026.

A copy of the relevant document depicting that the Affidavit of Compliance and Action Taken Report dated February 03, 2026 was filed is annexed hereto and marked with the letter "A".

3. I state that however due to some inadvertence the Hon'ble Tribunal was not appraised of the fact that the Affidavit of Compliance and Action Taken Report was, in fact filed by the respondent no. 5 and vide Order dated May 06, 2026, the Hon'ble Tribunal was pleased to observe that since no Affidavit of Compliance and Action Taken Report was filed by the



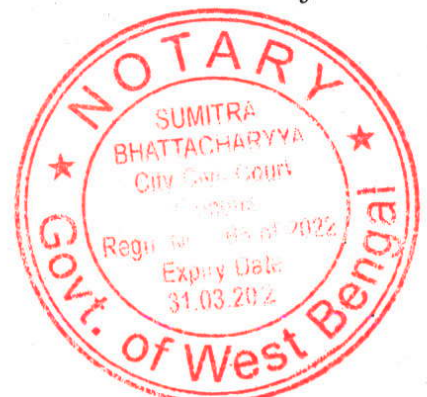
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respondent no. 5, the Registry had registered M.A No. 24/2026/EZ and listed the matter for further orders. The Hon'ble Tribunal was, interalia, further pleased to direct the Registry to issue notice to the respondent no. 5. Accordingly, the Registry issued a notice to the respondent no. 5, interalia, intimating the respondent no. 5 about the date on which the matter was scheduled to be taken up next for further consideration.

It is pertinent to mention here that the respondent no. 5 has thereafter uploaded the Affidavit of Compliance and Action Taken Report on the portal of the website of the Hon'ble Tribunal, though the same was already filed and mailed to the registry, as stated hereinabove.

Copies of the solemn Order May 06, 2026 and Notice issued by the Registry are annexed hereto and marked with the letter "B" (Coly.)

4. I state that though an Affidavit of Compliance and Action Taken Report dated February 03, 2026 was filed by the respondent no. 5, the further developments that have taken place after filing of the aforementioned Affidavit are hereby



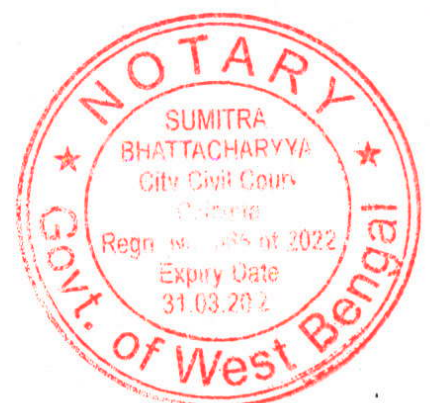
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brought to the notice of the Hon'ble Tribunal by way of this instant Supplementary Affidavit.

5. I state that vide Memo dated May 26, 2026, the respondent no. 5, interalia, requested the concerned stakeholders to attend a meeting on the scheduled date and time regarding promotion of 'Rain Water Harvesting' to reduce ground water extraction. The said meeting was duly attended by the concerned stakeholders and the respondent no. 5, interalia, requested all the hoteliers to start construction work for Rain Water Harvesting with immediate effect.

Copies of the said Memo dated May 26, 2026 and the Minutes of the said Meeting dated May 29, 2026 are annexed hereto and marked with the letter "C" (Coly).

6. I state that though the issue pertaining to plastic waste has been elaborately stated in the Affidavit of Compliance and Action Taken Report dated February 03, 2026, general awareness programmes are being undertaken to ensure cleanliness and keep the area plastic free. Interactions with local vendors are also undertaken to sensitize them on waste management practices.



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Copies of the relevant pictures to showcase the endeavours undertaken by the respondent no. 5 to curb plastic waste pollution are annexed hereto and marked with the letter "D"(Coly.)

7. I submit that it is thus clear that the respondent no. 5 has acted strictly in terms of the solemn Judgment and Order dated January 21, 2025 passed by the Hon'ble Tribunal and have taken all requisite steps in terms to ensure compliance of observations/recommendations of the Committee as stated in their Report dated November 29, 2023.

8. Under such circumstances it is most humbly submitted that the respondent no. 5 has acted strictly in terms of the directions passed in the solemn Judgment and Order dated January 21, 2025.

Subhash chandra Samanta

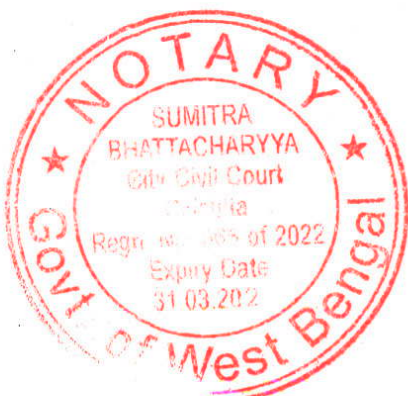
DEPONENT

Identified by me

Sourya Mukherjee

Advocate

For The Digha Shankarpur Development Authority



**Solemnly Affirmed and
Declared before me U/S 139
CPC, (C)**

Sumitra Bhattacharyya
Notary

Sumitra Bhattacharyya
Notary, Govt. of W.B.
Regd. No. 065 of 2022
City Civil Court, Calcutta

03 JUL 2026

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VERIFICATION

Verified at Kolkata by the deponent above named on this 3rd day of July, 2026 and state that the statements made in paragraph 1 is true to my knowledge, those made in paragraphs 2 to 6 are true to the information derived from the records of the case which I verily believe to be true and those made in paragraph 7 and the rest are my respectful submissions before this Hon'ble Tribunal.

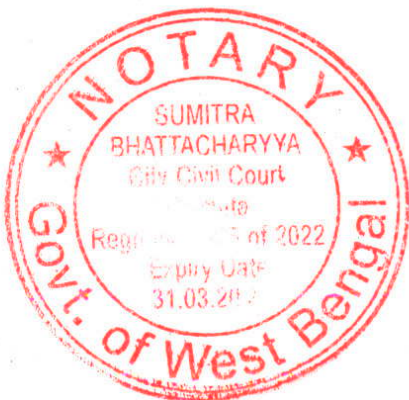
*Subhash Chandra Samanta***DEPONENT**

Identified by me

Sumitra Bhattacharyya

Advocate

For The Digha Shankarpur Development Authority



Affidavit Of Compliance in Disposed Of Matter

message

Soumya Mukherjee <soumya.97.mukherjee@gmail.com>
to: ngtjudicial-kolkata@gov.in

Mon, 9 Feb, 2026 at 3:20 p

Sir,

In re: OA 151/2022/EZ

Subhas Datta

Vs

State of West Bengal & Ors.

Please note that the captioned matter was disposed of vide solemn Judgment and Order dated January 21, 2025 by the Hon'ble National Green Tribunal (Eastern Zone Bench). As is evident from paragraph 69 of the said solemn Judgment and Order, there was a direction upon the Digha Shankarpur Development Authority, being the Respondent no. 5 herein, to file a Affidavit of Compliance and Action Taken Report by February 10, 2026.

Under such circumstances as stated hereinabove, enclosed please find herewith copies of the solemn Judgment and Order dated January 21, 2025 and the Affidavit of Compliance and Action Taken Report dated February 03, 2026 filed in this regard.

Please acknowledge receipt of the same.

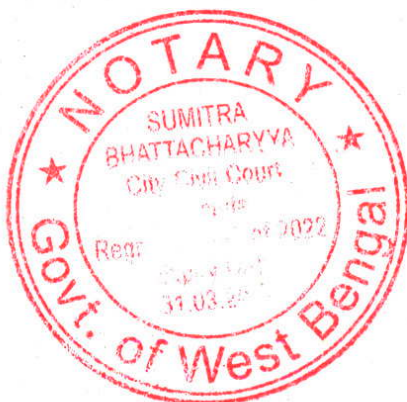
This is for your information and necessary action.

Thanking you,
Yours faithfully,
Soumya Mukherjee,
Advocate

2 attachments

DOC-20260129-WA0000..pdf
559 KB

DOC-20260209-WA0006..pdf
3.7 MB



Annexure - 'B' (copy)

Item No.05

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Miscellaneous Application No.24/2026/EZ
In
Original Application No.151/2022/EZ

Subhas Datta

Applicant

Versus

State of West Bengal & Ors.

Respondents

Date of hearing: 06.05.2026

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE MR. ISHWAR SINGH, EXPERT MEMBER**

Applicant: Mr. Subhas Datta, the applicant in person (through VC).

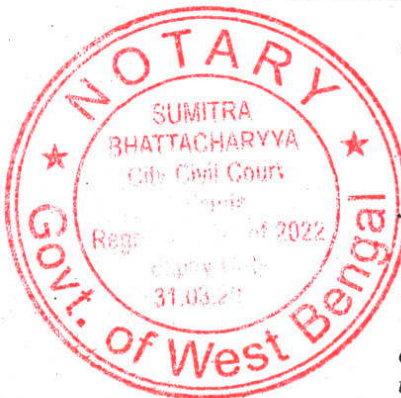
ORDER

1. The applicant filed Original Application (O.A.) No.151/2022/EZ raising grievances regarding development of a 'Beach Front Beautification Amusement Park' as a 'Tourist Centre' on the sea-beach of Digha in and around the Digha Beach Dhuesagar in violation of the Coastal Regulation Zone Notification (CRZ Notification)/environmental norms and other environmental violations.

2. The abovesaid O.A. was disposed of by this Tribunal vide order dated 21.01.2025. The relevant part of the order dated 21.01.2025 reads as under :-

"69. So far as the recommendations of the Committee with regard to the STP, groundwater extraction and plastic waste is concerned, we direct the Digha Sankarpur Development Authority to ensure that the directions of the Committee be complied with within one year i.e. by 31.01.2026 and **Digha Sankarpur Development Authority shall file affidavit of compliance and Action Taken Report in this regard by 10.02.2026.**

81. We, therefore, dispose of this Original Application with a direction to the Respondent No.1 to ensure that all constructions which have been made in CRZ-IA as referred in preceding





paragraphs and the prohibited area of Para 8 (i) II (i) of CRZ Notification, 2011 are removed completely and the area is restored to its original form. Let such exercise be carried out within three months.

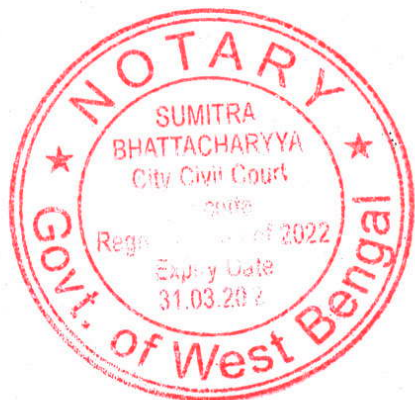
82. With the aforesaid directions, the Original Application No.151/2022/EZ is accordingly disposed of."

3. Since no affidavit of compliance and Action Taken Report were filed by respondent no. 5-Digha Sankarpur Development Authority, the Registry has registered M.A. No.24/2026/EZ and listed the matter for further orders.
4. The Registry is directed to issue notice to respondent no. 5- Digha Sankarpur Development Authority requiring it to file its affidavit of compliance and Action Taken Report in terms of the above-mentioned order within one month.
5. List on 06.08.2026 for further proceedings/orders.

Arun Kumar Tyagi, JM

Ishwar Singh, EM

May 06th, 2026
Miscellaneous Application No.24/2026/EZ
In Original Application No.151/2022/EZ
SN



**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Physical Hearing with Hybrid Mode)**

**Miscellaneous Application No.24/2026/EZ
In
Original Application No. 151/2022/EZ**

**Subhas Datta
Vs.
State of West Bengal & Ors.**

To,

**Digha Sankarpur Development Authority
Through the Executive Officer,
P.O. + P.S. – Digha Purba Medinipur,
Pin – 721463
Email: codsda@gmail.com**

(Respondent No.5)

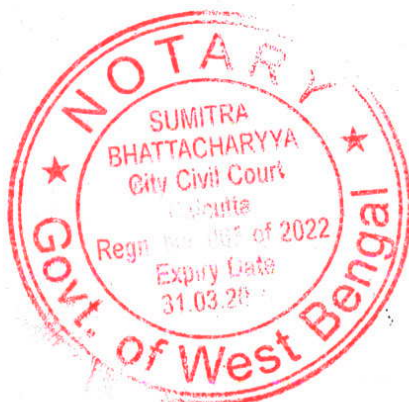
NOTICE

Whereas the above titled **Miscellaneous Application No.24/2026/EZ in Original Application No. 151/2022/EZ** (Copy of Application & Order dated 06.05.2026 annexed) is **listed on 06.08.2026** before the Hon'ble National Green Tribunal, Eastern Zone Bench at Finance Centre, 3rd Floor, Block III, Action Area-II, New Town, Kolkata (W.B)-700 161 for your appearance in person or by a pleader duly instructed.

2. Take Notice that in default of your appearance on the date above mentioned the said Application will be heard and determined in your absence.

3. Given under my hand and the seal of this Tribunal, this **22nd May, 2026**.

Note: (For Orders, Cause Lists & Other information, please visit our website: www.greentribunal.gov.in)



DEPUTY REGISTRAR

उप पंजीवक / Deputy Registrar
राष्ट्रीय हरित अधिकरण
पूर्वी क्षेत्रीय न्यायपीठ, कोलकाता
**NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

Memo, No. 721 /XXX-41/DSDA/2026

Dated, Digha, the 26.5.2026

From : The Executive Officer,

Digha Sankarpur Development Authority,
& Spl. Officer U.D. & M.A. Deptt.,
Digha N.T.S. :: Purba Medinipur.

To : 1) The Secretary/ President,

Digha Sankarpur Hoteliers Association, Old Digha,

2) The Secretary/ President,

Digha Hotel Owners Association, Old Digha,

3) The Secretary/ President,

New Digha Hoteliers Association, New Digha,

4) The Secretary/ President,

New Digha Hotel Owners Association, New Digha.

Sub : Direction of the committee constituted by the Hon'ble National green Tribunal, Eastern Zone Bench, Kolkata i.c.w. OA no. 151/2022/EZ (Mr. Subhas Datta...Vs.... State of WB & Ors.) for promotion of Rain Water Harvesting among the Hotels.

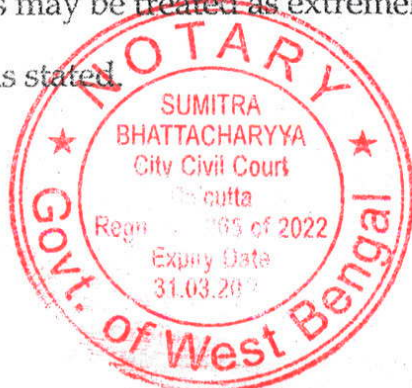
Ref : 1) The judgement dated- 21.01.2025 of the Hon'ble National green Tribunal, Eastern Zone Bench, Kolkata i.c.w. OA no. 151/2022/EZ (Mr. Subhas Datta...Vs.... State of WB & Ors.).
2) ORDER, dtd. 06.05.2026 in M.A. No. 24/2026/EZ in OA No. 151/2022/EZ.
3) This Office memo no. 6037/XXX-41/DSDA/2025, dt. 16.12.2025 & 718(4)/XXX-41/DSDA/2026, dt. 26.05.2026.

Sir(s),

Apropos the subject with reference above, to comply with the direction as seen in the paragraph 69 of the judgment dated- 21.01.2025 of the Hon'ble National green Tribunal, Eastern Zone Bench, Kolkata i.c.w. OA no. 151/2022/EZ (Mr. Subhas Datta...Vs.... State of WB & Ors.) regarding direction on ground water extraction, you are requested to attend a meeting on 29.05.2026 at 12.00 noon regarding promotion of 'Rain Water Harvesting' to reduce ground water extraction.

This may be treated as extremely urgent.

Encl: As stated



Yours faithfully,

S. Pandey

Executive Officer,

Digha Sankarpur Development Authority,
& Spl. Officer U.D. & M.A. Deptt.

15

Minutes of meeting i.c.w. compliance with the direction as seen in the paragraph 69 of the judgment dtd. 21.01.2025 of Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, in respect of O.A. No. 151/2022/EZ(Mr. Subhas Dutta... Vs... The State of West Bengal & Ors.) regarding promotion of rain water harvesting to reduce ground water extraction.

- Date & Time: 29.05.2026 at 12.00 pm
- Venue: The Office Chamber of The Executive Officer, Digha Sankarpur Development Authority, New Digha, Purba Medinipur.

The Executive Officer, Digha Sankarpur Development Authority (DSDA) chaired the meeting and at the outset, heartily welcomed all the hoteliers present in the meeting & started discussion.

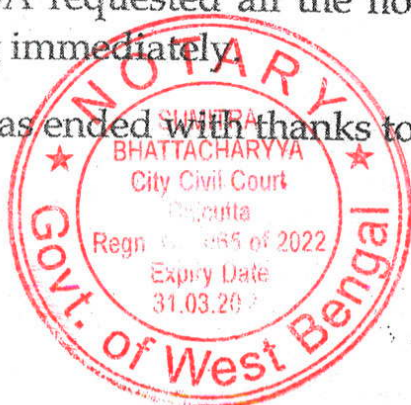
At first, he mentioned that all the secretaries/presidents of Digha Sankarpur Hoteliers Association, Old Digha, Digha Hotel Owners Association, Old Digha, New Digha Hoteliers Association, New Digha & New Digha Hotel Owners Association, New Digha have been informed regarding promotion of rain water harvesting to reduce ground water extraction vide memo no. 6037/XXX-41/DSDA/2025, dt. 16.12.2025 i.c.w. compliance with the direction as seen in the paragraph 69 of the judgment dtd. 21.01.2025 of Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, in respect of O.A. No. 151/2022/EZ(Mr. Subhas Dutta...Vs... The State of West Bengal & Ors.) regarding promotion of rain water harvesting to reduce ground water extraction.

The matter regarding promotion of rain water harvesting was discussed thoroughly with all the hoteliers present in the meeting. The E.O., DSDA opined that "Rain water harvesting is the collection & storage of rain for future use, crucial for combating fresh water depletion. It reduces reliance on over extracted ground water. It is a simple sustainable method to achieve local water self sufficiency."

All the hoteliers present in the meeting agreed with this & said that they already have started discussion with all the hoteliers of Old & New Digha in this regard.

The E.O., DSDA requested all the hoteliers to start construction work for Rain Water Harvesting immediately.

The meeting was ended with thanks to and from the chair.



S. Pandey

Executive Officer,
Digha Sankarpur Development Authority
& Spl. Officer UD & MA deptt.

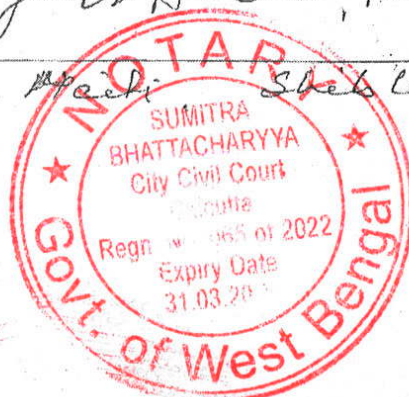
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Attendance sheet for meeting on 29.05.2026 at 12.00 noon i.c.w. compliance with the direction as seen in the paragraph 69 of the judgement dt. 21.01.2025 of the Hon'ble national Green Tribunal, Eastern Zone Bench, Kolkata i.c.w. O.A. No. 151/2022/EZ(Mr. Subhas Dutta Vs. State of West Bengal & Ors.) regarding promotion of rain water Harvesting to reduce ground water extraction.

1.	The Executive Officer, Digha Sankarpur Development Authority	S. Panigrahy
2.	The Secretary/President, Digha Sankarpur Hoteliers Association, Old Digha	Paramesh Chandra Hotel Shanti Nives
3.	The Secretary/President, Digha Hotel Owners Association, Old Digha	
4.	The Secretary/President, New Digha Hoteliers Association, New Digha	Sudam Sahi member
5.	The Secretary/President, New Digha Hotel Owners Association, New Digha	Rajhal Chandra Bera Tee Regency Gautam Newjennet President
6.	Hotel Marine Park - B-1-C-5	Nilip Jana
7.	Sahazangshu Marty. Digha Hotel Owners W. Assn.	S. Maity 29.5.26
8.	Ani mark Gaurant. Hotel 9434104816	Hotel Rupchandra Bhorpet Reshok
9.	Shreyani Hotel - Rancini Khol	Brayals 993222208

10) Sunil Maity Shikha Roy Rol.

7908464267. Sh.

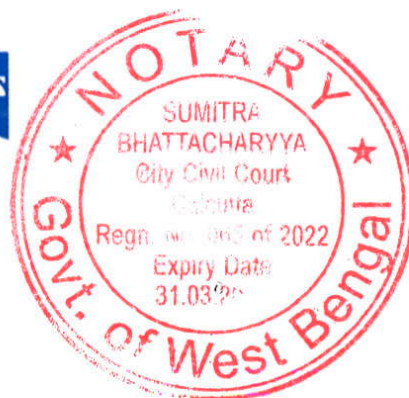


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Annexure -D/Coly



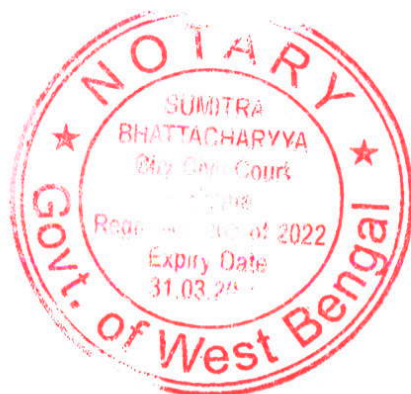
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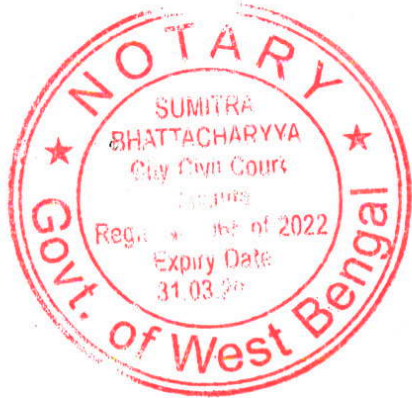
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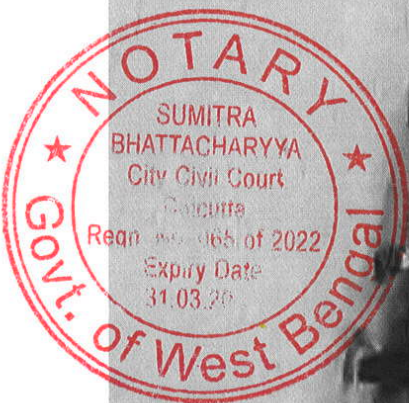


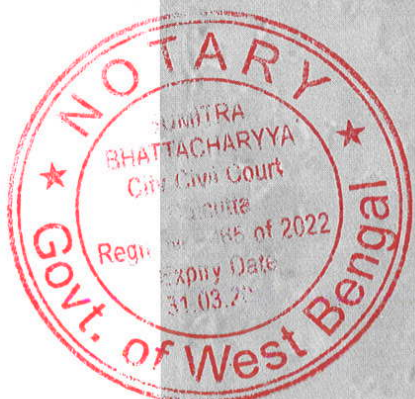


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NOTARY
SUMITRA
BHATTACHARYYA
City Civil Court
Kolkata
Regn No. 065 of 2022
Expiry Date
31.03.2025
Govt. of West Bengal

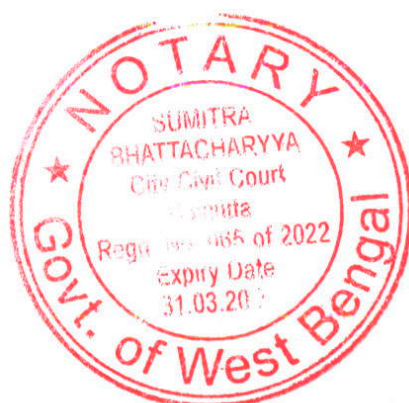


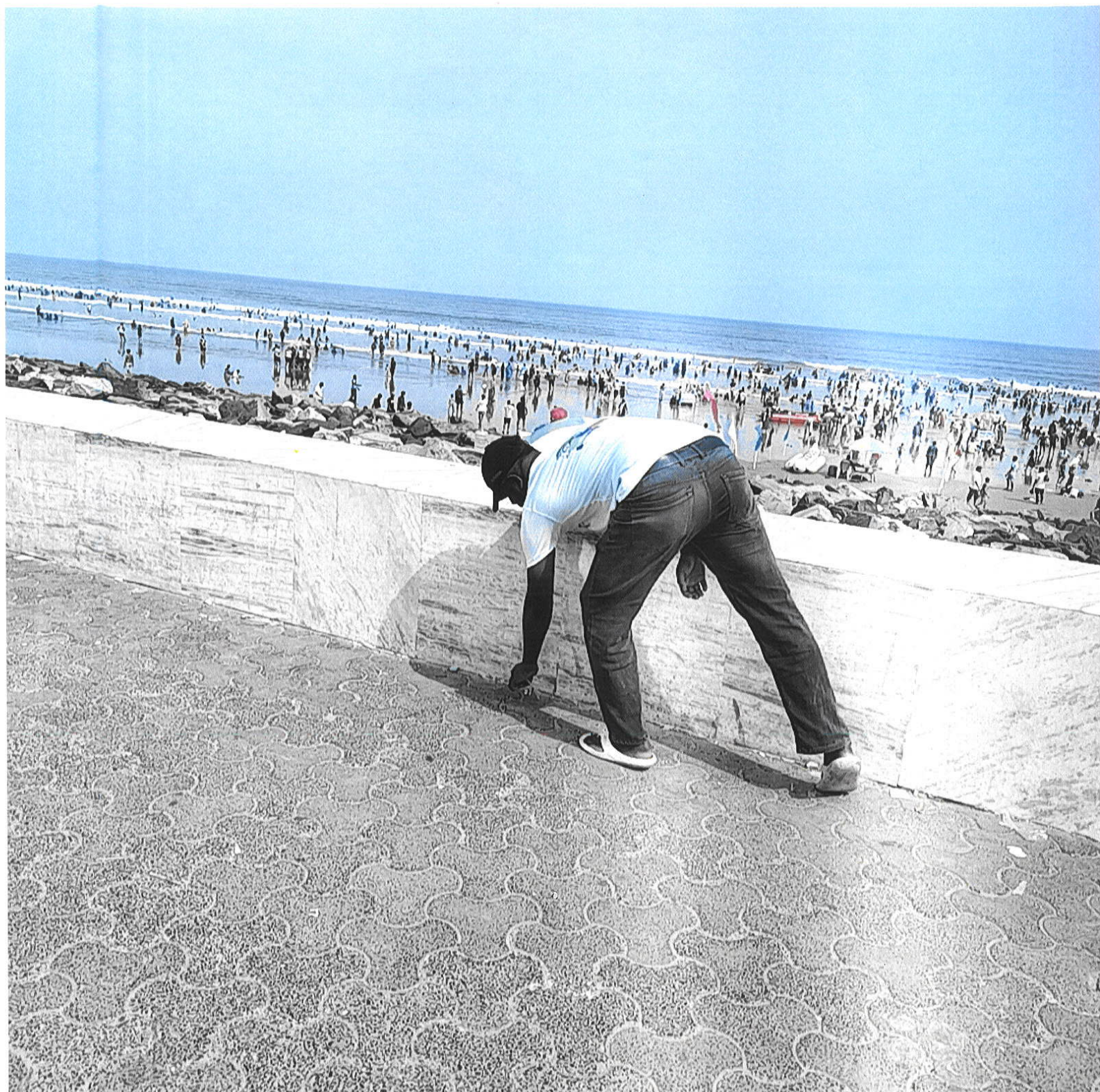


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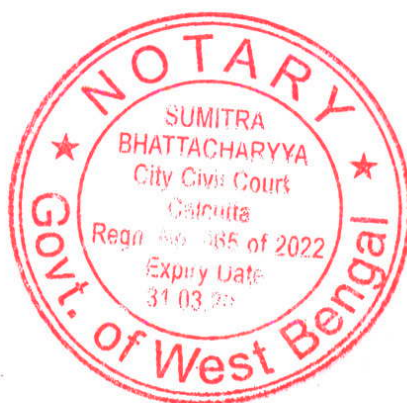


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BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

M.A. No. 24/2026/EZ
In
O. A. NO. 151/2022/EZ



In The Matter of:
Subhas Datta ... Applicant
-Vs-
The State of West Bengal & Ors.
... Respondents

SUPPLEMENTARY AFFIDAVITON
BEHALF OF THE RESPONDENT No.
05, THE DIGHA SHANKARPUR
DEVELOPMENT AUTHORITY

SOUMYA MUKHERJEE
Advocate
For The DighaShankarpur
Development Authority
Email: soumya.97.mukherjee@gmail.com
Mob: 9830511997.